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August 15, 2023

By ECF

Honorable Katherine P. Failla
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

MEMO ENDORSED

Re: *United States v. Pignatello*, 22 Cr. 653 (KPF)

Your Honor:

I represent Mark Pignatello in the above-referenced case. I write with the government's consent respectfully to request an endorsement to facilitate Mr. Pignatello's transfer from an entry-level drug treatment facility to a longer-term Samaritan facility upstate.

As the Court knows, Mr. Pignatello has been at Resources Recovery Center of Orange County since July 19. He has been accepted to Fox Run Residential Treatment Program in Rhinebeck, where he plans to spend at least the next two months – *i.e.*, until return to the community is clinically appropriate after around approximately 90 days in treatment total. Probation made great efforts to help find a bed outside of New York City, which we think will be beneficial to this patient.

Lisa Gallo, the social worker assigned to Mr. Pignatello's case at Resource Recovery Center, would like him to remain there until his course of treatment is complete on August 22. The Center reads the Court's August 7 Order (Dkt. 10) as limiting his stay at the Center to 30 days, *i.e.*, just a few days shy of when his treatment will be complete. We (the lawyers) do not read the Court's Order as being so limiting; but to facilitate Mr. Pignatello's stay until August 22, and at Ms. Gallo's request, we respectfully request that the Court endorse this letter to authorize Mr. Pignatello to remain at Resource Recovery Center of Orange County until the Center concludes his treatment is complete.

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We are available to answer any questions. Thank you for your consideration.

Respectfully submitted,

/s/ Benjamin Silverman
Benjamin Silverman
Attorney for Mark Pignatello

cc: Counsel of record (by ECF)

Application GRANTED. The Court understands that the Probation Office is requesting, along with defense counsel, that Mr. Pignatello remain at the Resources Recovery Center of Orange County until August 22, 2023, at which time he will be transferred to the Fox Run Residential Treatment Program for an additional sixty days of treatment. The Court approves this course of action, and hereby orders that Mr. Pignatello remain at the Resources Recovery Center through August 22, 2023.

The Clerk of Court is directed to terminate the pending motion at docket number 13.

Dated: August 15, 2023
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE